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RE: Fourth in a Hearing Series on Securing the Future of the Social Security Disability Insurance Program

In my opinion, there is a grave problem in the administration of Social Security Disability appeals in that the Administrative Law Judges appear to either have had no guidance or choose to ignore whatever policy standards, unknown to the public, may have been provided to them. I say this because of the significant disparity in awards granted among our several local judges and what I understand to be an enormous disparity between judges in different regions. It should be made clear whether or not this small branch of the judiciary is charged with conserving public funds at the expense of those who are least able to bear it or with applying the disability statutes as written, taking into consideration the legislative intent of providing assistance for those who cannot afford proper medical care.

The problem does not stop at the ALJ level. The Appeals Council, the next step in the hierarchy, is so grossly overloaded with work that it often takes a year or more to receive a ruling on appeal from the ALJ decision.

There is, no doubt, some abuse of the system by claimants. The good liars get approval "out of the chute." My clients, however, are folks who have either worn their bodies out through hard work or have suffered some disabling trauma and then usually have to survive in some way, obtain medical care in some way, during the year and a half or two years that it takes to progress from application to hearing. I do not believe that the analysts who do the initial screening of these cases are either evil or ignorant. They can probably define a list of medical terms more quickly than I. My suspicion is that, as lower-level employees, they lack the life experience to understand the consequences of health conditions such as diabetes. They see the diagnosis, see that insulin is prescribed, know that insulin treats diabetes, and conclude that there is no impairment. They fail to understand that a person whose blood sugar has spiked is so impaired that it is impossible for them to test their blood and calculate the required dosage. Examining cases of chronic pain or depression, they again know what medicines "do the trick" and interpret a physician's note "doing well" as proof that a person is employable, failing to take the time to read the medical record chronologically and realize that "doing well" likely means that a person no longer needs hospitalization because of suicidality or that relief from is not the absence of pain, and is often achieved at the cost of constant sedation.

I ask that you do what you can to provide consistency throughout the ranks of the Administrative Law Judges and that you do what you can to add some training about the practical import of listed

disorders to the analysts' curriculum.

Thank you for your attention to these matters.

Sincerely,

David I. McCaskey